

REMARKS/ARGUMENTS

Claims 1-3, 5, 6, 8, 9, 15, 20-24, 28-30, 48-55, 57-59, 64 and 67-74 are pending in the application. Non-elected Claims 4, 7, 10-14, 16-19, 25-27, 31-47, 56, 60-63, 65 and 66 have been withdrawn by the Examiner.

Independent Claims 1 and 57 have been amended to more clearly recite a composite panel having at least one glass sheet having a peripheral edge and at least one polymeric layer mounted in a frame, and at least one retainer extending from the frame inside the peripheral edge of the at least one glass sheet and at least partially embedded in the polymeric layer inside the peripheral edge of the at least one glass sheet. Basis for the amended claim language is provided in the specification, for example, at page 6, paragraph [0052]. No issue of new matter is presented.

Claims 1-3, 5, 6, 8, 9, 15, 20-24, 29 and 30 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Lewkowitz U.S. 2003/0188498. According to the Office Action, Lewkowitz '498 discloses in Fig. 3 a blast resistant assembly including a frame (37), a composite panel having at least one glass sheet (27, 28) and at least one polymeric layer (30) mounted in the frame (37), and at least one retainer (42, 82, 89) extending from the frame (37) and at least partially embedded in the polymeric layer (30). The Examiner states that the retainer (82) is fastened or embedded through the polymeric layer (30) into the frame (37). The Examiner further notes that the molding element (42) of Lewkowitz '498 extends inside the peripheral portion of the glass sheets (27, 28). It is submitted that amended independent Claim 1, as well as the claims that depend therefrom, are patentable over Lewkowitz '498.

As shown in Fig. 3 of Lewkowitz '498, the polymeric sheet 30 extends from the peripheral edges of the glass sheets 27 and 28, and is secured to the frame 37 by a molding element 42 which fastens the extended periphery 32 of the polymeric sheet 30 to the frame 37. In contrast, independent Claim 1 recites that the retainer must extend from the frame inside the peripheral edge of the at least one glass sheet and at least partially embedded in the polymeric layer inside the peripheral edge of the at least one glass sheet. No such structure is taught or suggested by Lewkowitz '498. Accordingly, Claim 1, and the claims that depend therefrom, are patentable over Lewkowitz '498.

Claims 48-51, 55, 57-59, 64 and 67-71 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Lewkowitz '498 in view of Bayley '791. According to the Office Action, Bayley '791 discloses in Fig. 1 a window assembly with an inner frame (20) pivotally connected to an outer frame (22). According to the Office Action, it would have been obvious to one skilled in the art to modify the blast resistant assembly of Lewkowitz '498 with the inner and outer frame structure of Bayley '791 for ventilation purposes. It is submitted that the presently claimed invention is patentable over Lewkowitz '498 and Bayley '791.

As shown in Fig. 1 of Bayley '791, one edge of an inner window frame member may be pivotally mounted inside an outer window frame member. The pivotal attachment allows the inner window structure to pivotally open with respect to the stationary outer frame structure.

In contrast, independent Claim 48 recites that the inner frame is pivotally connected to the outer frame at opposing peripheral edges of the inner frame. A non-limiting example of such a structure is illustrated in Fig. 13 of the present application, in which opposing peripheral side edges of the inner frame 74 are pivotally mounted to the outer frame 72, and opposing top and bottom peripheral edges of the inner frame 74 are pivotally mounted to the outer frame 72. As discussed, for example, at page 11, paragraph [0071] and shown in Fig. 21 of the specification, by providing pivotal attachment around the periphery of an inner frame member, blast resistance is improved by providing a resilient connection between the inner and outer frames which is capable of flexing when the window 20 is subjected to a blast force. Such a pivoting attachment structure in which the inner frame is pivotally attached at its opposing outer peripheries to the outer frame is not taught or suggested by Lewkowitz '498 or Bayley '791. If the window assembly of Lewkowitz '498 was modified to include the pivoting inner window section of Bayley '791 as suggested in the Office Action, such a combination would not read on the assembly recited in Claim 48 because the claimed assembly requires pivotal connections on opposite peripheral edges of the inner frame. Such an arrangement would prevent pivotal opening of the inner frame and glass sheet because the opposite peripheral edges of the inner frame are constrained by pivotal connections to the outer frame. The claimed structure provides advantages when subjected to blast forces, but does not provide the structure of Bayley '791 which allows the inner window to open with respect to the surrounding window

and frame. Accordingly, independent Claim 48, and the claims that depend therefrom, are patentable over the prior art of record.

Independent Claim 57 has been amended in a similar manner as Claim 1 to recite that the at least one glass sheet of the composite panel has a peripheral edge, and that the retainer extends inside the peripheral edge of the at least one glass sheet and is at least partially embedded in the at least one polymeric layer inside the peripheral edge of the at least one glass sheet. Claim 57 is patentable over Lewkowitz '498 for the same reasons noted above in connection with Claim 1. Bayley '791 does not remedy the deficiencies of Lewkowitz '498. Accordingly, independent Claim 57, and the claims that depend therefrom, are patentable over the prior art of record.

In view of the foregoing amendments and remarks, it is submitted that Claims 1-3, 5, 6, 8, 9, 15, 20-24, 28-30, 48-55, 57-59, 64 and 67-74 are patentable over the prior art of record. Accordingly, entry of this Amendment and an early Notice of Allowance of this application are respectfully requested.

In the event that any outstanding matters remain in connection with this application, the Examiner is invited to telephone the undersigned at (412) 263-4340 to discuss such matters.

Respectfully submitted,



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